

RECEIVED APR 26 2007

FILED

APR 25 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARCIANO PLATA, et al.,
Plaintiffs,

v.

ARNOLD SCHWARZENEGGER,
et al.,
Defendants.

NO. C01-1351 TEH
CLASS ACTION
ORDER

United States District Court
For the Northern District of California

The Court is in receipt of the Receiver's "Master Application for Order Waiving State Contracting Statutes, Regulations and Procedures, And Approving Receiver's Substitute Procedures for Bidding and Award of Contracts," filed April 17, 2007. Specifically, the Receiver seeks an order (1) "waiving any requirement that the Receiver comply with State statutes, rules, regulations and/or procedures governing the notice, bidding, award and protests only with respect to the contracts necessary to complete the projects described in [the] Application; and (2) approving the substitute notice, bidding and award procedures developed by the Receiver to be utilized in connection with such contracts.

Pursuant to the Court's Order of February 14, 2006 at ¶ II(D), the Court sets forth the following procedure for consideration of this matter. All parties shall file their response to this application no later than 14 days from the date of this Order. Given that the Governor of California is a named Defendant, the Court contemplates that such responses shall include any responses from the pertinent state agencies reporting to the Governor, including the Department of General Services, who the Receiver served with this application.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Upon receipt of the above responses, the Court shall determine whether further proceedings, such as additional briefing or oral argument, are appropriate, and if so notify the parties. If the Court issues no further procedural orders, the matter shall be deemed submitted on the papers.

IT IS SO ORDERED.

Dated:

4/24/07



THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PLATA et al,

Plaintiff,

v.

SCHWARZENEGGER, et al,

Defendant.

Case Number: CV01-01351 TEH

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 25, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Alton G. Burkhalter
Burkhalter Michaels Kessler & George LLP
2020 Main Street, Suite 600
Irvine, CA 92614

Caroline N. Mitchell
Jones Day
555 California Street
26th Floor
San Francisco, CA 94104

Charles J. Antonen
California Department of Justice
Office of the Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102

Donald Howard Specter
Prison Law Office
General Delivery
San Quentin, CA 94964

Jerrold C. Schaefer
Hanson Bridgett Marcus Vlahos & Rudy LLP
425 Market Street, 26th Floor
San Francisco, CA 94105-2173

John Hagar
Judge's Reading Room
450 Golden Gate Ave
18th Floor
Law Library
San Francisco, CA 94102

Martin H. Dodd
Futterman & Dupree LLP
160 Sansome Street, 17th Floor
San Francisco, CA 94104

Paul B. Mello
Hanson Bridgett Marcus Vlahos & Rudy LLP
425 Market Street, 26th Floor
San Francisco, CA 94105


Robert Sillen
California Prison Receivership
1731 Technology Drive, Suite 700
San Jose, CA 95110

Samantha D. Tama
California State Attorney General 's Office
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004

Steven Fama
Prison Law Office
General Delivery
San Quentin, CA 94964

Warren E. George
Bingham McCutchen LLP
Three Embarcadero Center
San Francisco, CA 94111-4066

Dated: April 25, 2007


Richard W. Wieking, Clerk
By: R.B. Espinosa, Deputy Clerk